

1 NATIONAL CENTER FOR IMMIGRANTS' RIGHTS, INC.
2 Carlos Holguin
3 Peter A. Schey
4 256 South Occidental Boulevard
5 Los Angeles, California 90057
6 Telephone: (213) 388-8693

7 NATIONAL CENTER FOR YOUTH LAW
8 Alice Bussiere
9 Teresa Demchak
10 Jim Morales
11 1663 Mission Street, 5th floor
12 San Francisco, California 94103
13 Telephone: (415) 543-3307

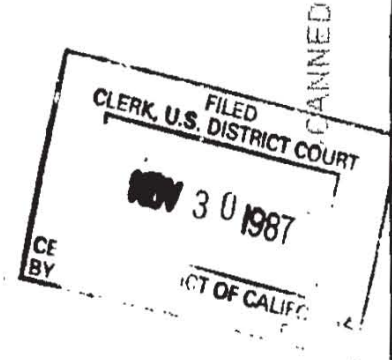
14 ACLU FOUNDATION OF SOUTHERN CALIFORNIA
15 John Hagar
16 Paul Hoffman
17 633 Shatto Place
18 Los Angeles, California 90005
19 Telephone: (213) 487-1720

20 Attorneys for Plaintiffs

21 UNITED STATES DISTRICT COURT
22 CENTRAL DISTRICT OF CALIFORNIA

23 JENNY LISETTE FLORES; et al., : Case No. 85-4544-RJK (Px)
24 :
25 : MEMORANDUM OF UNDERSTANDING
26 Plaintiffs, : RE COMPROMISE OF CLASS
27 : ACTION: CONDITIONS OF
28 -vs- : DETENTION.
: :
: :
29 EDWIN MEESE, III; et al., :
30 :
31 :
32 :
33 Defendants. :
34 :
35 _____ :
36 :
37 :
38 :
39 :
40 :
41 :
42 :
43 :
44 :
45 :
46 :
47 :
48 :
49 :
50 :
51 :
52 :
53 :
54 :
55 :
56 :
57 :
58 :
59 :
60 :
61 :
62 :
63 :
64 :
65 :
66 :
67 :
68 :
69 :
70 :
71 :
72 :
73 :
74 :
75 :
76 :
77 :
78 :
79 :
80 :
81 :
82 :
83 :
84 :
85 :
86 :
87 :
88 :
89 :
90 :
91 :
92 :
93 :
94 :
95 :
96 :
97 :
98 :
99 :
100 :

///



SCANNED

1 1. The parties hereto shall stipulate to an order
2 dismissing without prejudice plaintiffs' Third, Fourth, Fifth,
3 and Sixth Causes of Action, said stipulation, and any order of
4 dismissal entered pursuant thereto, to be conditioned upon
5 implementation of and continuing compliance with the terms of
6 this memorandum of understanding. This memorandum of
7 understanding shall thereupon be an enforceable settlement
8 agreement between the federal defendants and the plaintiff class.

9 2. Beginning on or before June 1, 1988, except in unusual
10 and extraordinary circumstances as defined herein, the federal
11 defendants shall house all juveniles detained more than 72 hours
12 following arrest in a facility that meets or exceeds the
13 standards set out in the April 29, 1987, Notice of Funding
14 Programs, 52 Fed.Reg. 15569-15573, attached hereto and
15 incorporated by this reference, and in the document, "Alien
16 Minors Shelter Care Program - Description and Requirements (April
17 28, 1987)," attached hereto and incorporated by this reference.
18 Such facilities shall additionally provide minors educational and
19 other reading materials in Spanish. The federal defendants shall
20 make reasonable efforts to provide minors reading materials and
21 educational instruction in other languages as needed. The
22 parties agree to negotiate concerning postponement of the June 1,
23 1988, implementation date in the event of unforeseen
24 circumstances.

25 3. The INS Regional Associate Commissioner for Operations
26 shall be informed of and monitor instances in which juveniles are
27 not transferred within 72 hours of arrest to a facility meeting
28 the standards described in paragraph 2 above. Such monitoring

SCANNED

1 shall ensure that juveniles are within 72 hours of arrest housed
2 in facilities meeting said standards except in unusual and
3 extraordinary circumstances.

4 4. "Unusual and extraordinary circumstances" justifying
5 exception to the 72-hour transfer requirement shall be limited to
6 those cases in which the interests of the affected minor would be
7 served by housing the minor in a non-complying facility or in
8 which, because of unforeseen events, the affected minor cannot be
9 housed in a complying facility.

10 5. For a period of twelve (12) months following dismissal
11 as herein provided, the federal defendants shall report to the
12 court in camera all exceptions to the 72-hour transfer
13 requirement, including the name of the affected class member, the
14 date of his or her arrest, the facilities in which the minor has
15 been housed and dates of occupancy, and the unusual and
16 extraordinary circumstances warranting non-transfer.

17 / / /

18
19
20
21
22
23
24
25
26
27
28

1 6. Plaintiffs shall not refile or otherwise renew the
2 claims alleged in their Third, Fourth, Fifth, and/or Sixth Causes
3 of Action so long as defendants are in compliance with the terms
4 of this memorandum of understanding. Plaintiffs agree to meet
5 with the federal defendants to discuss any alleged non-compliance
6 with the terms of the memorandum prior to refileing or otherwise
7 renewing the claims alleged in their Third, Fourth, Fifth, and/or
8 Sixth Causes of Action.

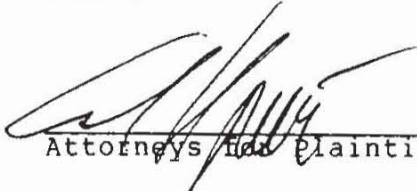
9 Approved as to form and content.

10 Dated: November 24, 1987.

NATIONAL CENTER FOR
IMMIGRANTS' RIGHTS, INC.
Carlos Holguin
Peter A. Schey

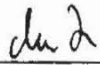
NATIONAL CENTER FOR YOUTH LAW
Alice Bussiere
Teresa Demchak
James Morales

ACLU FOUNDATION OF
SOUTHERN CALIFORNIA
John Hagar
Paul Hoffman

18 
19 Attorneys for Plaintiffs

20 Dated: November 15, 1987.

ROBERT C. BONNER
United States Attorney
FREDERICK M. BROSIO, JR.
Assistant United States Attorney
Chief, Civil Division
GEORGE WU
Assistant United States Attorney

25 
26 IAN FAN
27 Assistant United States Attorney
28 Attorneys for Federal Defendants

notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings.

The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 701 E Street NW., Room 156, Washington, DC 20436, telephone 202-523-0471. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-724-0002.

Issued: April 22, 1987.

By order of the Commission,

Kenneth R. Mason,

Secretary.

[FR Doc. 87-9099 Filed 4-28-87; 8:45 am]

BILLING CODE 7020-02-M

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 466 (Sub-No. 1)]

Railroad Cost of Capital; Proposed Expedited Procedure

AGENCY: Interstate Commerce Commission.

ACTION: Notice seeking comment on a proposed procedure to expedite the Commission's annual determination of the railroad's cost of capital.

SUMMARY: Each year the Commission determines the railroad industry's cost of capital, or fair return rate. This cost of capital finding is used, among other things, to evaluate the adequacy of railroad revenues. The most recent cost of capital determination—for the year 1985—was made in Ex Parte No. 464, *Railroad Cost of Capital—1985*, served March 18, 1987.

We have developed a set of procedures with timetables for expediting the Commission's cost of capital finding. This will insure a final determination by June 30 of the year following that for which the determination is being made. The Commission seeks public comment on this proposal which is presented below.¹

¹ In his vote in Ex Parte No. 464, *supra*, Commissioner Andre, joined by Commissioner Sterrett, commented separately that the Commission's staff should propose for public comment an analysis describing how regulatory lag can be reduced.

Our proposal will produce a cost of capital finding within six months following the close of the calendar year. Under the proposal, the following timetable would be established *each year*:

(1) By January 10—issue a notice instituting the cost of capital proceeding. This notice would set forth the due dates for the submission of comments, i.e., no later than February 10 for railroad initial comments, no later than March 10 for non-railroad comments, and no later than March 25 for railroad rebuttal comments.

(2) By February 10—receive initial comments from the railroads. In their comments submitted in the Ex Parte No. 464, *supra*, proceeding, the railroads indicated that if they knew in advance that the cost of capital proceeding would be instituted in January of each year, they would be able to meet this deadline, assuming no new and complex issues are introduced. The railroads indicated in their comments that this deadline could be met without a major revision to their data gathering activities; they would simply gather the necessary data throughout the year on a piecemeal basis. Requisite railroad data and information would be obtained directly by the Association of American Railroads from the railroads.

(3) By March 10—receive comments from the shippers and other non-railroad parties. Based on the comments received in Ex Parte No. 464, *supra*, the non-railroad parties should be able to meet this filing deadline without a major modification to their data gathering activities.

(4) By March 25—receive railroad rebuttal comments. Based on their comments in Ex Parte No. 464, *supra*, this deadline should also pose no particular problem for the railroads.

(5) March 25 through May 31—staff analyzes comments and makes recommendations to the Commission.

(6) Commission serves decision not later than June 30.

We believe that the dates in the above timetable can be met provided: (1) No lengthy filing extensions are granted to the parties, and (2) no highly contentious or novel issues are raised. Furthermore, we believe that these objectives can be met without any change in Commission internal procedures, funding levels, or statutory requirements nor changes in staffing levels in the Financial Analysis group. Nor, as indicated in their comments in Ex Parte No. 464, *supra*, will the expedited filing deadlines have a significant impact on the parties data gathering activities, including the costs associated with those activities.

Public comment on the above proposal is invited.

DATES: Comments due May 29, 1987.

ADDRESSES: Send an original and 15 copies of comments to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT:

Ward L. Ginn, Jr., (202) 275-7469.

This action will not significantly affect either the quality of the human environment or energy conservation. Nor will it have a significant economic impact on a substantial number of small entities.

Authority: 49 U.S.C. 10704(a).

Decided: April 20, 1987.

By the Commission, Chairman Gradison, Vice Chairman Lamboley, Commissioners Sterrett, Andre, and Simmons.

Noreta R. McGee,

Secretary.

[FR Doc. 87-9624 Filed 4-28-87; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Availability of Funding for Cooperative Agreements; Shelter Care and Other Related Services to Alien Minors

AGENCY: Community Relations Service (CRS), Justice.

ACTION: Notice of availability of funding for Cooperative Agreements to support programs which provide shelter care and other related child welfare services to alien minors detained in the custody of the United States Department of Justice, Immigration and Naturalization Service.

SUMMARY: This announcement governs the award of Cooperative Agreements to public or private non-profit organizations or agencies and under certain conditions, to for-profit organizations or agencies, to provide shelter care and other related child welfare services to alien minors detained in the custody of the United States Department of Justice, Immigration and Naturalization Service.

Awards will be to one (1) or more organizations. These awards are for the purpose of supporting licensed child welfare programs which provide shelter care and other related child welfare services to male and female alien minors under 18 years of age who are referred to the Community Relations Service by the Immigration and Naturalization Service.

These child welfare services will afford alien minors a structured, safe

SEARCHED

and productive environment which meets or exceeds respective state guidelines and standards for similar services designed to serve children in their care and custody. Applications submitted pursuant to this announcement must plan for the delivery of services to a minimum population of 12-15 minors. The ability to provide services to a larger population of children is highly desirable.

The administration of Cooperative Agreements awarded under this announcement will require the substantial involvement of the Federal Government. The level and scope of Federal involvement is delineated in the Community Relations Service document entitled *Alien Minors Shelter Care Program—Description and Requirements*. This document is included in the Proposal Application Package available from the Community Relations Service.

DATE: Closing Date: 5:00 p.m., Eastern Daylight Time, Friday, June 12, 1987.

Proposals will be reviewed, evaluated and competitively rated by an independent panel of experts in the areas of child welfare and social services on the basis of weighted criteria listed in this Notice. All funding decisions are at the discretion of the Director, Community Relations Service. Awards will be subject to the availability of funds and the concurrence of the Assistant Commissioner, Detention and Deportation, Immigration and Naturalization Service.

Authorization

Authorities for the provision of certain child welfare services to alien minors detained in the custody of the Immigration and Naturalization Service (INS) are contained in a Memorandum of Agreement and an Inter-Agency Cost Reimbursable Agreement dated October 1, 1986, and signed by the Acting Director, Community Relations Service; the Assistant Commissioner, Detention and Deportation, Immigration and Naturalization Service and the Director, Refugee Health Affairs, United States Public Health Service.

Legislative authority for the Community Relations Service, Cuban/Haitian Entrant Program is contained in Title V, section 501 (c) of Pub. L. 96-422 (The Refugee Education Assistance Act of 1980).

Available Funds

Approximately \$1,500,000 will be available for this program activity on a fiscal year basis. This estimate does not bind the Community Relations Service

or the Immigration and Naturalization Service to any specific level of funding. This figure is only intended to serve as an estimate of the total amount of funding which could potentially be available during any specific fiscal year.

Future fiscal year funding for this program is contingent upon need and the availability of Federal appropriations. If adequate funds are available, the Acting Director, Community Relations Service, anticipates continuation of this program.

Awards normally will not exceed a 36 month program performance period. Funding will be for 12-month budget periods.

Eligible Applicants

Non-profit organizations incorporated under state law which have demonstrated child welfare, social service or related experience and are appropriately licensed or can expeditiously meet applicable state licensing requirements for the provision of shelter care, foster care, group care and other related services to dependent children are eligible to apply.

For-profit organizations, incorporated under state law, which have demonstrated child welfare, social service or related experience and are appropriately licensed or can expeditiously meet applicable state licensing requirements for the provision of shelter care, foster care, group care and other related services to dependent children; and, which can clearly demonstrate that only actual costs, and not profits, fees, or other elements above cost have been budgeted, are also eligible to apply.

The geographical location of the applicant is not restricted to the geographic area of need identified in this Notice; however, the applicant must be able to strongly substantiate that its network of local affiliates or its subcontractor(s) or subrecipient(s) will be able to effectively and appropriately deliver the required services; and, that local service provider organizations are licensed to provide 24 hour care under applicable state laws.

Eligible Client Population

Under the terms of this announcement, the eligible client population will consist of male and female alien minors.

Definition of Alien Minor

For the purposes of this Notice, an alien minor is defined as a male or female foreign national, under 18 years of age, who is detained in the custody of the Immigration and Naturalization Service and is the subject of exclusion or deportation proceedings under the

Immigration and Nationality Act; or, has an application for asylum pending with the Immigration and Naturalization Service.

Designated Program Area

The designated program areas consist of:

- SOUTHERN CALIFORNIA (San Diego and Los Angeles Counties)
- TEXAS (Cameron County)

Technical Assistance Conference

The CRS will hold public meetings regarding this solicitation. Further information regarding time, date and location will be included in the Proposal Application Package.

SUPPLEMENTARY INFORMATION:

Purpose and Scope

Community Relations Service Cooperative Agreement Recipients (hereafter referred to as Recipient) shall facilitate the provision of temporary shelter care and other child welfare related services to alien minors, who have been approved for transfer to a Community Relations Service supported Shelter Care Program.

These minors, although released to the physical custody of the Recipient, shall remain in the legal custody of the Immigration and Naturalization Service.

The population level of minors is expected to fluctuate as arrivals and case dispositions occur. Program content will, therefore, reflect differential planning of services to minors at various stages of adjustment and administrative processing. In addition, although the population of minors is projected to consist primarily of adolescents, Recipients are expected to be able to serve some children 12 years of age or younger.

Recipients are expected to facilitate the provision of assistance and services for each minor including, but not limited to: physical care and maintenance, access to routine and emergency medical care, comprehensive needs assessment, education, recreation, individual and group counseling, access to religious services and other social services.

Other services that are necessary and appropriate for these minors may be provided if the Community Relations Service determines in advance that the service is reasonable and necessary for a particular child.

The Recipient will develop an appropriate individualized service plan for the care and maintenance of each minor in accordance with his/her needs as determined in an intake assessment. In addition, agencies or organizations

are required to implement and administer a case management system which tracks and monitors client progress on a regular basis to ensure that each child receives the full range of program services in an integrated and comprehensive manner. Shelter care services shall be provided in accordance with applicable state child welfare statutes and generally accepted child welfare standards, practices, principles and procedures.

Service delivery is expected to be accomplished in a manner which is sensitive to culture, native language and the complex needs of these minors.

A. Program Design

The applicant must set forth in detail information concerning the following:

1. Organization/Agency Capability

A comprehensive overview of the applicant agency, agency qualifications and agency history, including agency philosophy, goals and history of experience with respect to the provision of child welfare or related services to children under 18 years of age.

Identification of the organization(s)/agency(ies) proposed for participation in the program, a description of their qualifications in relation to responsibilities; and the mechanism for coordination among these agencies (as applicable).

2. Target Population

A description of the proposed client population including a discussion of program acceptance criteria and estimates of the total number of minors to be served at any one time (capacity) and during any program year.

3. Management Plan

a. A plan which identifies the agency/organization which will have overall fiscal and program responsibility, as applicable.

b. Identifies the organizational structure and lines of authority.

c. Describes the overall proposed staffing plan and staff qualifications for the program.

d. Includes a comprehensive plan for coordination of activities between the various program components and coordination with other community and governmental agencies.

e. Staff supervisory model.

f. Provisions for staff training.

g. Proposed staff schedule(s).

h. Role of consultants and rationale for their use.

4. Individual Client Service Plans

Applicants are expected to describe in detail:

a. The methodology regarding the development of individual client service plans, and;

b. The process to ensure that service plans will be periodically reviewed and updated. Identify staff who will have responsibility for the development and updating of the plans.

5. Case Management

Describe in detail the case management system for tracking and monitoring client progress on a regular basis to ensure that each minor receives the full range of program services in an integrated and comprehensive manner. Identify the staff positions responsible for coordinating the implementation and maintenance of the case management system.

6. Structure and Accountability

Applicants must fully describe:

a. The plan for developing and maintaining internal structure, control and accountability through programmatic means.

b. Utilization of daily logs, statistical reports, etc.

B. Client Services

Applicants are required to describe, in a detailed and comprehensive manner, the following services and the methodology for service delivery:

1. Physical Care and Maintenance;
2. Routine and Emergency Medical/Dental Care;
3. Orientation;
4. Individual Counseling;
5. Group Counseling;
6. Acculturation/Adaptation;
7. Education;
8. Recreational, Social and Work Activities;
9. Visitation Procedures;
10. Legal Services, and;
11. Family Reunification Services.

C. Client Records

Applicants must provide descriptive information regarding the development, maintenance and content of individual client case records, including a description of all material/information which will be maintained in these records.

D. Program Records

Applicants are required to set forth comprehensive information regarding the types of program records to be maintained by the program (daily activity logs, records of staff meetings, cash disbursement systems, daily and weekly status of population reports, etc.).

E. Facility

As applicable, applicants are required to set forth in detail the following:

1. A description of the physical structure and the allocation of space for residential and office use.

2. A description of the location of the facility and discussion of the basis for selection.

3. Proof, in the form of a written certification, that the program and facility meet all applicable zoning and child welfare licensing requirements.

F. Program Evaluation

Applicants must set forth a plan for program evaluation including identification of evaluative criteria.

G. Community Support

Applicants must identify those measures the agency will take or has taken, to assure and maintain community receptivity and support and/or reduce community opposition to the program.

H. Budget

Applicants are required to submit a comprehensive line item budget. A narrative explanation for each line item, included in each object class, must accompany the proposed budget.

I. Supportive Addenda Material

Applicants are required to submit the following supporting material as an addendum to the program proposal:

1. Administrative Requirements
 - A. Agency Administration and Organization
 1. Agency organizational chart describing the agency as a whole and the organizational relationship of the proposed program to other agency programs.
 2. Comprehensive organizational chart of the proposed program.
 3. Copies of Articles or Incorporation.
 4. Proof of IRS status as a non-profit organization, if applicable.
 5. List of Officers and Board Members, if applicable.
 6. List of professional affiliations and certifications.
 7. Copy(ies) of applicable State child welfare licenses.
 - B. Organizational Standards/Policies and Policies Regarding Clients
 1. Personnel Handbook and Standards of conduct.
 2. Statement regarding professional and agency liability.
 3. Copy of Disciplinary Procedures
 4. Copy of Agency policy regarding the confidentiality of client information and records.

CANINE

5. Discussion of the method to be used to inform clients of program rules, regulations and policies, including the confidentiality of client information.

6. Copy of Grievance Policy and Procedures.

7. Fire and earthquake evacuation procedures, as applicable.

C. Staff

1. Job/Position Descriptions and resumes (if individuals have been identified for certain positions) for all personnel to be hired for the program including documented evidence of the availability of bi-lingual and/or bi-cultural personnel.

2. Resumes and qualifications of program consultants.

D. Community Support of the Program

1. Letters of program support from local political representatives, social service agencies, etc. Letters should reflect writers' awareness of program's intent, potential Federal funding source and location of the program.

Letters should also contain a recommendation or comment regarding the proposed program.

2. A listing of service providers to whom clients will be referred, including name, address and description of service(s) to be provided.

3. A listing of voluntary and/or donated resources, including letters of intent from the agencies or entities providing the resources, if applicable.

E. Implementation Plan

A plan for program implementation including time-lines regarding significant milestones.

2. Finance

a. A copy of the most recent agency/ organization audit.

b. A description of the agency/ organization Financial Management System.

c. A listing of other Federal, State, local or foundation grants, cooperative agreements or contracts, etc. being administered by the applicant. This material should include information regarding the funding source(s); grant, cooperative agreements or contract number; level of financial support; purpose of award; grant, cooperative agreement or contract performance period; and name, address and telephone number of grant, cooperative agreement and/or contract officer (Federal, State or local).

d. Subrecipients and/or Subcontractors

1. Identify all proposed services which are to be awarded to subrecipients/ subcontractors.

2. Provide relevant background material regarding the proposed subrecipient(s)/subcontractor(s).

3. Provide letters from the proposed subrecipient(s)/subcontractor(s) indicating their commitment and the specific services to be provided.

J. Screening Criteria

CRS will screen all applications submitted pursuant to this Notice. Screening shall be done to determine whether an application is sufficiently complete to warrant consideration and review by the CRS Grant Review Panel. An application may be rejected if:

1. The application is from an ineligible applicant.

2. The application is received after the closing date.

3. The application omits:

a. Documented written evidence of community support for the program.

b. A comprehensive line-item budget with appropriate descriptive narrative.

c. A copy of the latest financial audit of the applicant.

K. Criteria for Evaluating Applications

Applications will be competitively reviewed, evaluated and ranked according to the following weighted criteria:

1. The degree to which the entire proposed plan for developing, implementing and administering a shelter care program is clear, succinct, integrated, efficient, cost effective and likely to achieve program objectives.

2. The quality of the applicant's program management and staffing plans as demonstrated by:

- The adequacy of the plan for program management and the plan for coordination between the components of the program.

- The adequacy of the plan for coordination with community and governmental agencies.

- The adequacy of the qualifications of the applicant organization and the extent to which this organization has a demonstrated record as a provider of child welfare or other social services.

- The extent to which the applicant has a demonstrated capacity for effective fiscal management and accountability.

- The extent to which subrecipient(s)/subcontractor(s) have a demonstrated capacity for effective fiscal and program management and accountability.

- The adequacy of the plans for staff supervision and intra-program communication.

- The adequacy of the staffing plans in terms of the relationship between the proposed functions and responsibilities of the staff in the program, and the education and relevant experience required for the position.

- Clear organizational charts delineating organizational relationships and levels of authority, including the identification of the staff position accountable for the overall management, direction and progress of the program.

3. Program Services—The applicant's response to the required program services, including a description of program resources which demonstrates:

- The capacity of the program to offer comprehensive, integrated and differential services which meet the needs of the clients.

- Utilization of resources in a manner which enhances program control, structure and accountability.

- Provision of services in a manner which promotes and fosters cultural identification and mutual support.

- Sensitivity to the issues of culture, race, ethnicity and native language.

4. The degree to which the applicant provides effective strategies of programmatic control, predictability and accountability as evidenced by the structure and continuity inherent in the program design.

5. The adequacy of the plans for:

(a) Developing and updating individual client service plans, and;

(b) The proposed system of case management.

6. The reasonableness of the proposed budget and budget narrative, in relation to proposed program activities.

7. The degree to which the application has provided written documented evidence of community support and acceptance of the program.

L. Application Request and Submission

Eligible applicants may request a Proposal Application Package from the United States Department of Justice, Community Relations Service, Suite 330, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815; Attention: Cynthia Bowie, Senior Grants Management Specialist.

Proposal Application Packages may also be obtained by contacting the Community Relations Service at (301) 492-5818 or 1-800-421-9304.

Applicants must submit a signed original and two (2) copies of the proposal and supporting documentation to the United States Department of Justice, Community Relations Service, Suite 330, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815; Attention: Cynthia Bowie, Senior Grants Management Specialist.

Applications Delivered by Mail

An applicant must show proof of mailing consisting of the following:

1. A legible dated U.S. Postal Service postmark.

2. A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

3. A dated shipping label, invoice or receipt from a commercial carrier.

If an application is sent through the U.S. Postal Service, the Director does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

Applicants should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, the applicant should check with their local Post Office.

Applicants are encouraged to use registered or at least First Class mail. Each late applicant will be notified that the application will not be considered.

Applications postmarked on or before June 12, 1987, shall be considered as timely applications.

Applications Delivered by Hand

An application that is hand-delivered must be taken to the United States Department of Justice, Community Relations Service, Suite 330, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815.

The Grants Management Office will accept hand-delivered applications between 9:00 a.m. and 5:00 p.m., Eastern Daylight Time daily, except Saturdays, Sundays and Federal holidays.

An application that is hand-delivered will not be accepted after 5:00 p.m., Eastern Daylight Time, on the closing date.

Catalog of Federal Domestic Assistance Number: 16.201.

Dated: April 24, 1987.

Wallace P. Warfield,

Acting Director, Community Relations Service.

Intergovernmental Review

Application Requirements

Pursuant to Executive Order 12372, *Intergovernmental Review of Federal Programs*, all States have the option of designing procedures for review and comment on Federally assisted programs. Each applicant is required to notify each State in which it is proposing activities under this announcement and to comply with the State's established review procedures. This may be done by contacting the applicable State Single Point of Contact (SPOC).

State Requirements

Comments and recommendations relative to applications submitted under

this solicitation should be mailed no later than 45 days after the date of publication, addressed to: Richard Cutierrez, Coordinator, Immigration and Refugee Affairs, Community Relations Service, Suite 330, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815.

[FR Doc. 87-9636 Filed 4-28-87; 8:45 am]

BILLING CODE 4410-01-M

Bureau of Prisons

Intent to Prepare a Draft Environmental Impact Statement (DEIS) for the Construction of a Federal Correctional Facility, Schuylkill County, PA

AGENCY: Federal Bureau of Prisons, Justice.

ACTION: Notice of intent to prepare a Draft Environmental Impact Statement (DEIS).

SUMMARY:

1. Proposed Action: The U.S. Department of Justice, Federal Bureau of Prisons has determined that a new medium security Federal Correctional Institution with an adjacent minimum security Federal Prison Camp is needed in the Northeastern United States. A site is currently being evaluated in Schuylkill County, Pennsylvania. The proposal calls for the construction of a 150 bed minimum security camp and an adjacent 500-600 bed facility to house medium security inmates.

Approximately 250 total acres would be required for road access and parking, inmate housing, administration space, program areas and service/support facilities for the two facilities. In addition, exercise areas and an adequate natural buffer zone around the entire property would be included in the required acreage.

2. In the process of evaluating the specific site, the following subjects will receive a detailed examination: water and sewage, wetlands, threatened and endangered species, cultural resources, unique and prime farmlands, and varied socio-economic issues.

3. Alternatives: In developing the DEIS, the options of no action and alternative sites for the proposed facilities will be fully and thoroughly examined.

4. Scoping Process: A number of meetings have already been held with local officials and interested citizens. Additional meetings including at least one public meeting will be held once a specific site is identified. A formal public hearing will be held after the publication of the DEIS.

5. DEIS Preparation: The DEIS should be available for public review and comment not later than August 1, 1987.

6. Address: Questions concerning the proposed action and the DEIS should be addressed to: Jim Jones, Site Acquisition Coordinator, Facilities Development and Operations, Federal Bureau of Prisons, 320 First Street NW., Washington, DC 20534. Phone: (202) 272-6871.

Dated: April 23, 1987.

Loy S. Hayes,

Deputy Assistant Director, Federal Bureau of Prisons, U.S. Department of Justice.

[FR Doc. 87-9628 Filed 4-28-87; 8:45 am]

BILLING CODE 4410-05-M

Drug Enforcement Administration

[Docket No. 87-5]

Bell Apothecary, Inc.; Easton, PA; Hearing

Notice is hereby given that on August 15, 1986, the Drug Enforcement Administration, Department of Justice, issued to Bell Apothecary, an Order To Show Cause as to why the Drug Enforcement Administration should not revoke its DEA Certificate of Registration, BB0430734 and deny any pending applications for renewal of such registration.

Thirty days having elapsed since the said Order To Show Cause was received by Respondent, and written request for a hearing having been filed with the Drug Enforcement Administration, notice is hereby given that a hearing in this matter will be held commencing at 10:00 a.m. on Wednesday, April 29, 1987, in Courtroom 10, Room 309, United States Claims Court, 717 Madison Place, NW., Washington, DC.

Dated: April 20, 1987.

John C. Lawn,

Administrator, Drug Enforcement Administration.

[FR Doc. 87-9619 Filed 4-28-87; 8:45 am]

BILLING CODE 4410-09-M

[Docket No. 86-70]

The Boro Pharmacy, Easton, PA; Hearing

Notice is hereby given that on August 15, 1986, the Drug Enforcement Administration, Department of Justice, issued to The Boro Pharmacy, an Order To Show Cause as to why the Drug Enforcement Administration should not revoke its DEA Certificate of Registration, AL9145081 and deny any pending applications for renewal of such registration.

SCANNED

ALIEN MINORS SHELTER CARE PROGRAM - DESCRIPTION AND REQUIREMENTS

United States Department of Justice

Community Relations Service

4/28/87

132.

SCANNED

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	BACKGROUND	1
III.	SCOPE OF WORK	2
IV.	AUTHORIZATION	3
V.	FUNDING INSTRUMENT AND AWARDS	3
VI.	APPLICABLE REGULATIONS AND REGULATORY REQUIREMENTS	4
VII.	ELIGIBLE APPLICANTS	4
VIII.	DEFINITION OF ALIEN MINOR	5
IX.	CLIENT POPULATION	5
X.	PROGRAM DESIGN	5
XI.	SUPPLEMENTAL PROGRAM INFORMATION	14
XII.	REPORTING REQUIREMENTS	15
XIII.	RECORD RETENTION AND DISPOSITION OF DATA	17
XIV.	PROGRAM APPLICATION ADDENDA MATERIAL	17
XV.	SUPPLEMENTAL INFORMATION - OFFICE AND RESIDENTIAL FACILITIES	22
XVI.	SUPPLEMENTAL INFORMATION - EQUIPMENT, FURNISHINGS AND SUPPLIES	24

SCANNED

I. INTRODUCTION:

The United States Department of Justice (DOJ), Community Relations Service (CRS) and Immigration and Naturalization Service (INS) have entered into an agreement to establish a network of community based shelter care programs to provide physical care and maintenance and other related services to alien minors detained in the custody of the Immigration and Naturalization Service.

The intent of this initiative is to provide a safe and appropriate environment for alien minors for the interim period beginning when the minor is transferred into a CRS Shelter Care Program and ending when a final disposition of the minor's status is implemented. Final disposition may result in either the bond, release or removal of the minor from the United States.

This document will provide operational policy instructions and application guidance to agencies and organizations which are applying for Federal funds to develop plans, programs, and administrative procedures for the care and maintenance of alien minors held in the custody of the INS.

II. BACKGROUND:

The Shelter Care Program described in this document was developed as an inter-agency approach and response to the complex issues associated with the apprehension and detention of alien minors by the Immigration and Naturalization Service.

The United States has traditionally accepted immigrants and refugees from around the world. Ordinarily, persons desiring such status apply for entry while residing in their own country or in a third country known as a "country of first asylum". However, since 1978, alien minors have been entering the United States seeking refugee or immigrant status without any prior administrative processing. These minors are coming primarily from the Caribbean nations and from Central and South America.

During the past two years, significant numbers of minors have been entering the United States at various border points between the United States and Mexico. The largest concentrations of entries are in the States of Texas and California. These minors come primarily from El Salvador, Nicaragua, Guatemala and Honduras. When apprehended by Federal authorities, these minors are taken to either an INS Contract Facility or Border Patrol Facility. For the most part, these are adult detention facilities which are not appropriate environments for the detention of dependent minors.

Many of these detained minors (primarily males 13 to 17 years of age) are seeking some form of relief from deportation. It is estimated that as many as 5,500 other than Mexican minors were apprehended by Federal

authorities during Federal Fiscal Year 1986. A majority of these children are found to be "bound for" parents, other relatives, godparents or friends already residing in the United States and it appears that the majority of these youths were attempting to establish residence in this country.

Since 1980, the CRS and INS have worked together to provide temporary shelter care and other related services to Cuban/Haitian Entrant and other alien minors apprehended and detained by the INS in South Florida. These minors are provided physical care and maintenance and other services while waiting disposition of various INS proceedings. This CRS program has provided services to over 2,500 children apprehended by the INS.

In October 1986, the CRS and INS entered into a comprehensive Inter-Departmental Memorandum of Agreement which provides the framework for a national initiative to address the challenges and complex issues created by this influx of Central American youth.

The CRS and INS intend to work closely with CRS Cooperative Agreement Recipients (hereafter referred to as Recipients) to assist with the development and administration of programs that address the intricate and complex needs of the youth for care and protection in a manner which meets the mandates of current United States law.

III. SCOPE OF WORK:

Recipients shall facilitate the provision of temporary shelter care and other related services to alien minors who have been approved for transfer from detention at various INS Contract Facilities or Border Patrol Facilities. Shelter care services will be provided for the interim period beginning when the minor is transferred into the Shelter Care Program and ending when a final disposition of the child's status is implemented. Final disposition may result in either the bond, release or removal of the minor from the United States.

These minors, although released to the physical custody of the CRS Recipient, shall remain in the legal custody of the INS.

The population level of alien minors is expected to fluctuate as arrivals and case dispositions occur. Program content must, therefore, reflect differential planning of services to children in various stages of personal adjustment and administrative processing. Although the population of minors is projected to consist primarily of adolescents, Recipients are expected to be able to serve some children 12 years of age and younger.

CRS Recipients are expected to facilitate the provision of assistance and services for each alien minor including, but not limited to: physical care and maintenance, access to routine and emergency medical care, comprehensive needs assessment, education, recreation, individual and group counseling, access to religious services and other social services.

Other services that are necessary and appropriate for these minors may be provided if CRS determines in advance that the service is reasonable and necessary for a particular child.

Recipients are expected to develop and implement an appropriate individualized service plan for the care and maintenance of each minor in accordance with his/her needs as determined in an intake assessment. In addition, Recipients are required to implement and administer a case management system which tracks and monitors client progress on a regular basis to ensure that each child receives the full range of program services in an integrated and comprehensive manner.

Shelter care services shall be provided in accordance with applicable State child welfare statutes and generally accepted child welfare standards, practices, principles, and procedures. The CRS intends that services be delivered in an open type of setting without a need for extraordinary security measures. However, Recipients are required to design programs and strategies to discourage runaways and prevent the unauthorized absence of minors in care.

Service delivery is expected to be accomplished in a manner which is sensitive to culture, native language and the complex needs of these children.

IV. AUTHORIZATION:

Authority for the provision of shelter care and related child welfare services to alien minors detained in the custody of the Immigration and Naturalization Service (INS) is contained in a Memorandum of Agreement and an Inter-Agency Cost Reimbursable Agreement, dated October 1, 1986, and signed by the Acting Director, Community Relations Service; by the Assistant Commissioner for Detention and Deportation, Immigration and Naturalization Service and by the Director, Refugee Health Affairs, United States Public Health Service.

Legislative authority for CRS Cuban/Haitian Entrant child welfare activities is contained in Title V, Section 501(c) of Public Law 96-422 (The Refugee Education Assistance Act of 1980).

V. FUNDING INSTRUMENT AND AWARDS:

Awards of Federal monies to support the activities detailed in this document will be in the form of Cooperative Agreements issued by the Community Relations Service. All final funding decisions are at the discretion of the Director, Community Relations Service.

In addition, Awards are subject to the availability of funds and the concurrence of the Assistant Commissioner for Detention and Deportation, Immigration and Naturalization Service.

SCANNED

Awards for shelter care activities normally will not exceed a 36 month program performance period. Funding will be for 12 month budget periods; continuation of funding is dependent upon successful completion of prior year objectives, the level of need as defined by the Federal Government and the availability of future fiscal year funding.

VI. APPLICABLE FEDERAL REGULATIONS AND REGULATORY REQUIREMENTS:

Cooperative Agreements awarded by the Community Relations Service are subject to the following Federal Regulations:

Title 28, Code of Federal Regulations

- Part 42, Subpart C Non-discrimination in Federally assisted programs, Title VI of the Civil Rights Act of 1964
- Part 42, Subpart D Non-discrimination in Federally assisted programs-implementation of Section 815(c) (1) of the Justice System Improvement Act of 1979
- Part 42, Subpart G Non-discrimination based on handicap in Federally assisted programs
- Part 42, Subpart H Procedures for complaints of employment discrimination filed against recipients of Federal financial assistance

Title 41, Code of Federal Regulations

Title 45, Code of Federal Regulations

- Part 46 Protection of Human Subjects

Title 48, Code of Federal Regulations

- Part 31.2 Contract Cost Principles and Procedures

VII. ELIGIBLE APPLICANTS:

Non-profit organizations incorporated under State law which have demonstrated child welfare, social service or related experience and are appropriately licensed or can expeditiously meet applicable state licensing requirements for the provision of shelter care, foster care, group care and related services to dependent children are eligible to apply.

SCANNED

For-profit organizations incorporated under State law which have demonstrated child welfare, social service or related experience and are appropriately licensed or can expeditiously meet state licensing requirements for the provision of shelter care, foster care, group care and other related services to dependent children and which can clearly demonstrate that only actual costs and not profits, fees, or other elements above cost have been budgeted, are also eligible to apply.

The geographical location of the applicant is not restricted to its selected area of service; however, the applicant must be able to strongly substantiate that its network of local affiliates or its subcontractor(s) or subrecipient(s) will be able to effectively and appropriately deliver the required services and that local service provider organizations are licensed under applicable State law to provide emergency shelter care and related services to dependent children.

VIII. DEFINITION OF ALIEN MINOR:

An alien minor is defined as a male or female foreign national under 18 years of age who is detained in the custody of the Immigration and Naturalization Service and is the subject of exclusion or deportation proceedings under the Immigration and Nationality Act, or who has an application for asylum pending with the Immigration and Naturalization Service.

IX. CLIENT POPULATION:

It is anticipated that the client population will generally consist of males, 13-17 years of age. Females generally comprise approximately 15% of the total population of alien minors. These minors are primarily nationals of El Salvador, Nicaragua, Guatemala and Honduras; however, Recipients can expect to provide services to children from other countries. Recipients should also be prepared to provide emergency shelter care to limited numbers of children 12 years of age and younger.

Clients would generally be considered to be dependent children without significant behavioral or psychological problems. Many children have inconsistent or sporadic educational histories and some children may be illiterate in their own language.

X. PROGRAM DESIGN:

Shelter care and related services can be provided through either residential, foster or group care programs. Applicants are not restricted in their individual approaches to service delivery however, the ability to provide a mix of services and deliver these services in geographic proximity to the applicable District INS office is highly desirable due to the varying needs of the client population, the needs of the Federal Government and the varying length of time that the youth will be in care.

Recipients must be able to admit minors on a 24 hour per day, seven (7) day a week basis.

Control, predictability and accountability are essential elements of a successful program. A highly structured, active and productive day of activities mitigates against disruptive behavior.

Program design must insure that the youths follow an integrated and structured daily routine which shall include, but not be limited to: education, recreation, work or chores, study period, counseling, group interaction, free time and access to religious services.

This daily routine will enhance programmatic supervision and accountability as well as encourage the development of individual and social responsibility on the part of each child. Program rules and disciplinary procedures, written and translated into Spanish, must be provided to each client and fully understood by each client and all program staff.

Minors served by this Program are individuals who have entered the United States without inspection. These youths are seeking some type of relief from deportation through an administrative process.

Recipients and their staff are expressly prohibited from hindering or interfering with the execution of final case dispositions as determined by the Federal Government.

The length of care per child is anticipated to be approximately thirty (30) days; however, due to the variables and uncertainties inherent in each case, Recipients must design programs which are able to provide a combination of short term and long term care.

a) Program Management:

1. Organizational Structure and Coordination:

CRS Recipients are required to have operative plans which identify organizational structures, lines of authority and lines of responsibility. Recipients are also required to maintain and administer comprehensive plans which facilitate and enhance intra-program and intra-organizational (if appropriate) communication. At a minimum, programs must ensure weekly staff meetings to discuss client service plans, client progress and client work schedules.

Recipients must maintain linkages with other social service agencies, and the local District Office of the INS. The Program Director for each Recipient shall be responsible for maintaining working relationships and liaison with community organizations and the INS.

2. Staffing:

Programs must ensure:

- o One (1) person identifiably responsible for the entire program and its outcomes;
- o One (1) staff person identifiably responsible for the overall coordination of services including the case management system;

SCANNED

SCANNED

- o Clear lines of authority and responsibility;
- o Adequate professional staff available to provide program services;
- o Adequate levels of staff available to provide structure and to coordinate and deliver all services required of the program;
- o Availability of relief staff for illness and holidays;
- o Availability of 24 hour per day, seven (7) days per week professional emergency backup staff;
- o Employee educational and/or experience levels commensurate with the responsibilities and expertise required of the staff position;
- o Staff training, and;
- o Adequate levels of individual leave, sick and compensatory time.

All staff members who deal directly with clients must be culturally sensitive and bilingual in English and Spanish.

3. Direct Program Services:

All program planning should reflect innovative methods of service delivery. All services shall be delivered in accordance with applicable State licensing requirements and standards.

The following is a description of program services which all Recipients are required to provide:

a) Care and Maintenance:

Proper physical care and maintenance, including suitable living accommodations, food, appropriate clothing, personal grooming items and personal allowance or remuneration for work (outside of normal chores or responsibilities) as defined by applicable State statutes.

b) Routine and Emergency Medical/Dental Care:

Access to appropriate routine medical and dental care, family planning services and emergency health care services are a required part of the program. Such services may be provided

SCANNED

through enrollment in local medical assistance programs, coverage by health insurance plans or special arrangements with local providers.

Recipients are required to ensure that each child receives a complete medical examination (including screening for infectious disease) within 24 hours of admission, excluding weekends and holidays.

A written immunization policy and procedure which is in compliance with the U.S. Public Health Service, Center for Disease Control, should be implemented. Policy and procedure will be provided by INS.

If hospitalization is required, the Recipient is required to make the proper arrangements for admittance.

Recipients must develop and administer a comprehensive policy regarding the dispensing of medication and special diets.

Shelter care programs are required to have operative intervention plans in instances of mental health decompensation.

c) Orientation:

Upon admission, all clients must receive a comprehensive orientation regarding program intent, services, rules (written and verbal), expectations and legal assistance (INS Form I-770 shall be completed).

d) Individual Counseling:

Programs should schedule at least one (1) individual counseling session per week conducted by trained social work staff with the specific objectives of reviewing client progress, establishing new short term objectives and addressing both the developmental and crisis related needs of each minor. Recipients should anticipate many "emergency" individual counseling sessions.

e) Group Counseling:

Programs must conduct group counseling sessions at least twice a week. This is usually an informal process and takes place with all the minors present. It is a time when new minors are given the opportunity to get acquainted with the staff, other children and the rules of the program. It is an open forum where everyone gets a chance to speak. Daily program management is discussed and decisions are made about recreational activities, etc. It is a time for staff and minors to discuss whatever is on their minds and to resolve problems.

f) Acculturation/Adaptation:

Recipients are required to provide a program which includes, but is not limited to, information regarding personal health and hygiene, human sexuality and the development of social and inter-personal skills which contribute to those abilities necessary to live independently and responsibly.

g) Education:

Recipients shall provide an education program in a structured classroom setting, Monday through Friday, which concentrates primarily on the development of basic academic competencies and secondarily on English Language Training (ELT). Basic academic areas should include Science, Social Studies, Math, Reading, Writing and Physical Education.

Services are to be provided by a teacher certified by the State Department of Education. The teacher shall assess each client in order to determine individual educational competency levels. This assessment may determine the need for bilingual classes. Students are usually separated into groups according to their educational competency level rather than by chronological age.

h) Recreational and Leisure-Time:

A recreation and leisure-time plan shall include at least one hour per day of large muscle activity and one hour of structured leisure-time activities (this should not include time spent watching television). Activities should be increased to a total of three hours on days school is not in session. The recreation program shall be organized and supervised by a trained staff member.

A variety of fixed and movable equipment will be provided for each recreation area. Examples of the variety of equipment that should be available include a basketball, volleyball, softball, tetherball, punching bag and soccer ball.

i) Work/Employment:

Written procedures regarding work assignment schedules shall be developed. Consideration will be given to the fact that juvenile aliens are not required to participate in uncompensated work assignments unless the work is housekeeping of personal areas or personal hygiene needs.

SCANNED

-10-

4. Supplemental Services:

a) Visitation:

Visitation and contact with family members shall be encouraged. Visitation at the facility or office shall occur on a day and time to be determined by the Recipient. Such visitation shall be supervised by staff and conducted in such a manner as to ensure reasonable procedures to prevent the unauthorized release of any minor in care.

All visitation plans and procedures require the prior approval of the designated CRS Program Officer.

b) Legal Services:

The INS provides all detained minors with specific information regarding the availability of free legal assistance and advises each minor of their right to be represented by an attorney, right to a deportation or exclusion hearing, right to apply for political asylum or right to request voluntary departure.

CRS Recipients are required to restate this information to each minor upon admission to the program. Recipients shall establish procedures to assist each minor in making confidential contact with attorneys or their authorized representatives.

Federal regulations prohibits the expenditure of any CRS Cooperative Agreement funds for the direct provision of legal services or assistance to any child in care.

c) Family Reunification:

Upon entering a CRS supported program, each minor shall be interviewed by an identified staff person with an educational background in the behavioral sciences, in an attempt to identify relatives for potential family reunification. Once relative information is obtained, staff is required to make telephone contact with the relative, verify the relationship and develop the following information:

- 1) Identifying Data - General information about all members of the household.

143.

SCANNED

- 2) Personality Description - Description of relative's personality characteristics and their willingness to share information.
- 3) Quality of Marriage - Description of marriage, if applicable.
- 4) Housing and Financial Situation - Description of home, neighborhood, expenses, employment, income, etc.
- 5) Plans for Minor - Plans the relatives have for the minor (i.e., school enrollment).
- 6) Personal References - Two personal references from friends, relatives or other person(s) not living with the relative which can provide additional information, verify the information given by the relative and attest to the relative's commitment and ability to care for the child.
- 7) Summary and Impressions - Summary of overall impressions and recommendations.

The information and accompanying recommendation shall be given to the INS Office with responsibility for the minor's case. A copy of these materials shall be forwarded to the designated CRS Program Officer.

ALL FINAL DECISIONS REGARDING THE RELEASE OF MINORS TO RELATIVES WILL BE MADE BY OFFICIALS OF THE INS.

In some cases, it may be necessary for the family to obtain legal guardianship prior to release by the INS. In these cases, Recipients should assist relatives in filing the proper documentation under applicable State statutory requirements.

5. Assessment:

CRS Recipients are required to complete a comprehensive assessment of each child within ten (10) working days from the date of admission. The assessment includes:

- 1. An intake study which must:
 - (a) Set forth the essential data relating to the identification and history of the child and family;
 - (b) Summarize the specific events surrounding the minor's entry into the United States, and;

SCANNED

-12-

(c) State the specific problem(s) which appear to require immediate intervention.

2. Educational assessment and plan.
 3. Assessment of family relationships and interaction with adults, peers and authority figures.
 4. A definition of religious preference and practice.
 5. Assessment of personal goals, strengths and weaknesses.
 6. Assessment of the impact of migration on the youth's future adjustment.
 7. Identifying information regarding immediate family members, other relatives, godparents or friends who may be residing in the United States.
6. Case Management:

Recipients must ensure that comprehensive and realistic individual client service plans are developed, implemented and closely coordinated for each child through an operative case management system. Individual plans for the care of each minor must be developed in accordance with his/her needs as determined by the various assessments. Staff members responsible for specific case management activities must be identified and their responsibilities fully defined.

Due to the need for consistency and frequent updating of service plans, programs must also ensure that formalized lines of intra-program communication are established as an adjunct to informal channels of staff interaction.

7. Client Case Records:

Recipients are required to develop, maintain and safeguard individual client case records. Agencies and organizations are required to develop a system of accountability which preserves the confidentiality of client information and protects the records from unauthorized use or disclosure.

145.

At a minimum, client case records must include the following information:

- 1) Name and alien control number;
- 2) Initial screening and intake forms;
- 3) Case information from the referral source;
- 4) Comprehensive assessment;
- 5) Medical/Dental files;
- 6) Medical consent form;
- 7) Individual service plans and case notes;
- 8) Progress reports;
- 9) Program rules/disciplinary policies;
- 10) Copies of disciplinary actions;
- 11) Referrals to other service agencies;
- 12) Cash transaction documentation;
- 13) Inventory of personal effects, and;
- 14) Any other relevant information.

8. Program Evaluation:

CRS Recipients must have operative program evaluation plans which include evaluative criteria.

9. Community Support:

Applicants are required to identify measures they will take or have taken to assure and maintain community receptivity and support and/or reduce community opposition to the program.

The CRS works closely with the INS in the development, implementation and administration of Shelter Care Programs, and relies upon the INS for various types of operational support. Recipients are also required to maintain ongoing operational relationships with applicable offices of the INS. The CRS will facilitate the development of such operational relationships.

In addition, it is essential that Program Directors develop and maintain liaison with other important community based public and private organizations and agencies.

XI. SUPPLEMENTAL PROGRAM INFORMATION

A) Legal Guardianship:

All alien minors transferred to CRS supported Shelter Care Programs shall remain in the legal custody of the INS.

SCANNED

B) Categories of Minors in Federal Detention:

Specific categories of Alien Minors detained in the custody of the INS are generally as follows:

1. Minors with no locatable parents in either the United States or the country of origin. Such children could be eligible for release or bonding to relatives, licensed child welfare agencies, or voluntary agencies willing to accept custody of these minors.
2. Minors whose parents are locatable in the country of origin and who are in a position to reassume custody of the child. Potentially, these children could be removed from the United States through either exclusion or deportation proceedings or could leave the United States through voluntary departure.
3. Minors with locatable parents residing in the United States. Two situations are in evidence:
 - a) If the parent(s) is documented, the child would be released to the parent's custody;
 - b) If the parent(s) is undocumented, the child would be released to the parent's custody after the parents were processed by INS and subsequently assigned to a deportation docket.

INS policy is to release the child with the parents. However, it is possible that a parent could be detained if he/she were found to be the subject of an outstanding criminal warrant.

XII. REPORTING REQUIREMENTS:

A) Program Reporting:

1. Quarterly Program Progress Report:

Recipients shall, within thirty (30) days following the end of each calendar quarter, provide the Designated CRS Program Officer with a Quarterly Program Progress Report.

-15-

SCANNED

This report must include, but is not limited to, narrative information describing:

- a) Program progress, movement toward attaining program goals, program achievements and program problems.
- b) Programmatic or budgetary implementation time-lines for the next quarter.
- c) Anticipated budgetary or programmatic modifications which will be requested during the next quarter.
- d) A listing containing the names, positions and dates of action relating to all staff who were hired, laid off, fired, promoted, or who resigned during the reporting period.
- e) Any child abuse or neglect incidents handled under State law.
- f) Listing of all incidents which occurred during the quarter.

2. Final Program Progress Report:

A Final Program Progress Report is due ninety (90) days after the completion of the program performance period.

3. Daily Reports:

Recipients are required to maintain:

- a) A chronological listing of all clients which includes name, alien control number, date of admission and date of discharge.
- b) A Daily Entry Log which accounts for the whereabouts of each minor and documents any significant incidents which occurred during the period.

Copies of the above referenced information shall be included as an addenda to the Quarterly Program Progress Report.

148.

SCANNED

4. Status or Condition Report:

CRS Recipients are required to immediately notify the applicable local District Office of the INS and the Designated CRS Program Officer of any change in the status or condition of any minor in care including the following:

- a) Any unauthorized absence of the minor;
- b) Pregnancy of the minor;
- c) Child-birth by the minor;
- d) Hospitalization of, or serious illness of, or injury to the minor;
- e) Death of the minor;
- f) Arrest and/or incarceration of the minor, and;
- g) Any abuse or neglect incident handled under State law.

B) Financial Reporting:

In order to obtain financial information concerning the use of Federal funds, the CRS requires that Recipients of these funds submit timely reports for review. These reports are consistent with the manner of reporting established by OMB Circular A-110.

1. Schedule of Cooperative Agreement Payment Requests:

Recipients are required to provide the Grants Management Branch, CRS, with current time-lines reflecting the Recipient's anticipated drawdown of Federal funds.

This schedule of time-lines is due within thirty (30) days of the Recipient's acknowledging receipt of the award.

2. Financial Reporting - (SF 269):

Recipients shall, within thirty (30) days following the end of each calendar quarter, furnish to the Grants Management Branch, CRS, an original and two (2) copies of the Financial Status Report, SF-269. This report is required of all CRS Recipients. It is designed to reflect financial information relating to Federal and non-Federal obligations and outlays.

Within ninety (90) days of the end date of the project performance and budget periods, Recipients must submit to the Grants Management Branch, CRS an original and two (2) copies of the Final Financial Status Report, SF-269.

SCANNED

3. Financial Reporting - (SF-270):

This report is applicable to all Recipients who are funded on a "Check-Issued" basis. It is required to document the status of Federal cash when a recipient requests an advance or reimbursement of funds. This report is reviewed on a quarterly basis for Recipients receiving reimbursement of funds and on a monthly basis for those organizations receiving advance funding.

4. Federal Cash Transaction Report - (SF-272):

Recipients shall, within fifteen (15) working days following the end of each quarter, furnish the Grants Management Branch, CRS with an original and two (2) copies of the Federal Cash Transaction Report, SF-272. It is designed to provide cash and disbursement information.

XIII. RECORD RETENTION AND DISPOSITION OF DATA:

CRS Recipients are required to maintain all records, program and financial information and/or data for three (3) years following the date of submission of a Final Program Progress Report.

At the conclusion of the three (3) year retention period, CRS will instruct Recipients regarding destruction or delivery of all records, program and financial information and/or other data.

Recipients are required to provide any and all records, program and financial information, and/or data requested by CRS. This information is to be delivered to:

UNITED STATES DEPARTMENT OF JUSTICE
COMMUNITY RELATIONS SERVICE
CUBAN-HAITIAN ENTRANT PROGRAM
SUITE 330
5550 FRIENDSHIP BOULEVARD
CHEVY CHASE, MD 20815

XIV. PROGRAM APPLICATION ADDENDA MATERIAL:

Shelter Care Program Applicants are required to attach the following addenda material to their technical program proposals. FAILURE TO COMPLY WITH THESE REQUIREMENTS COULD BE GROUNDS FOR NONACCEPTANCE OF PROPOSALS.

A) Administrative Requirements:

1. Agency Administration and Organization:

- a) Agency organizational chart describing the agency as a whole and the organizational relationship of the proposed program to other agency programs.
- b) Comprehensive organizational chart of the proposed program.
- c) Copies of Articles of Incorporation.
- d) Proof of IRS status as a non-profit organization, if applicable.
- e) List of Officers and Board Members, if applicable.
- f) List of professional affiliations and certifications.
- g) Copy(ies) of applicable State child welfare licenses.

2. Organizational Standards/Policies and Policies Regarding Clients:

- a) Personnel Handbook and Standards of Conduct.
- b) Statement regarding professional and agency liability.
- c) Copy of Disciplinary Procedures.
- d) Copy of agency policy regarding the confidentiality of client information and records.
- e) Discussion of the method to be used to inform clients of program rules, regulations and policies, including the confidentiality of client information.
- f) Copy of Grievance Policy and Procedures.
- g) Fire and earthquake evacuation procedures, as applicable.

3. Staff:

- a) Job/Position Descriptions and resumes (if individuals have been identified for certain positions) for all personnel to be hired for the program, including documented evidence of

SCANNED

-19-

the availability of bi-lingual and/or bi-cultural personnel.

b) Resumes and qualifications of program consultants.

4. Community Support of the Program:

a) Letters of program support from local political representatives, social service agencies, etc. Letters should reflect writers' awareness of program's intent, potential Federal funding source and location of program.

Letters should also contain a recommendation or comment regarding the proposed program.

b) A listing of service providers to whom clients will be referred, including name, address and description of service(s) to be provided.

c) A listing of voluntary and/or donated resources, including letters of intent from the agencies or entities providing the resources, if applicable.

5. Implementation Plan:

A plan for program implementation including time-lines regarding significant milestones.

B) FINANCE:

1. A copy of the most recent agency/organization audit.

2. A description of the agency/organization Financial Management System.

3. An itemization of all other Federal, State, local or foundation grants, cooperative agreements or contracts, etc., being administered by the applicant. This listing should identify the funding source; grant, cooperative agreement or contract number; level of financial support; purpose of award; grant, cooperative agreement or contract performance period; and name, address and telephone number of grant, cooperative agreement and/or contracts officer (Federal, State or local).

4. Subrecipients and/or Subcontractors:

a) Identify all proposed services which are to be procured through subrecipients/subcontractors.

152.

SCANNED

-20-

- b) Provide relevant background material regarding the proposed subrecipient(s)/subcontractor(s).
- c) Provide letters from the proposed subrecipient(s)/subcontractor(s) indicating their commitment and the specific services to be provided.

C) BUDGET:

The proposed budget will be examined by the CRS Senior Grants Management Specialist to verify the costs data, evaluate specific elements of cost and determine if costs are necessary, reasonable and allowable under applicable Federal statutes and regulations. The following budget structure should be used to provide appropriate costs breakdowns.

Detailed costs justification (Budget Narrative) for each budget category MUST BE attached to the budget.

1. Personnel:

Show salaries and wages only. Fees and expenses for consultants should be included in another category entitled "other". The name and title, salary amounts and level of effort (allocation of time) must be identified for each position.

2. Fringe Benefits:

Submit a current copy of the negotiated fringe benefit rate. If fringe benefits are applicable to direct salaries and wages and treated as a part of the negotiated Indirect Cost Rate (IDC), provide detailed information in the budget narrative.

3. Travel:

Use only for travel (domestic) of employees on the Cooperative Agreement. Include estimated cost breakout for airfare, per diem (\$100 per day plus an additional \$25.00 per day for incidental expenses during the travel period -- i.e., taxi, etc.), number of days, number of persons traveling for the purpose of attending a CRS sponsored conference.

Travel costs for consultants should not be identified in this category, nor should costs associated with local transportation (i.e., where no out-of-town trip is involved).

4. Equipment:

Use only for non-expendable personal property, which is defined as follows:

Non-expendable personal property is tangible personal property having a useful life of more than two (2) years and an acquisition cost of \$500 or more per unit. An applicant may use its own definition of non-expendable personal property provided that such definition would at least include all tangible personal property. Personal property is property of any kind except real property.

Each item of non-expendable personal property must be identified and explained (i.e., office equipment and furnishings which are usable for activities other than the technical, specialized aspects of the grant program). Indicate whether property will be purchased or leased.

5. Supplies:

Include all tangible expendable personal property except that which is included in the equipment line. Requests in excess of \$500 per category of tangible expendable personal property (supplies) must be identified and explained.

6. Contractual:

Use for procurement contracts (except those which belong on other line items such as equipment, supplies, and construction). Payments to individuals such as stipends, consulting fees, and benefits must not be included in this category.

7. Renovation:

Costs for alterations and renovation must be explained in detail.

8. Client Costs:

All costs directly related to clients such as stipends and allowances, essentials, food, personal items, clothing, local transportation, out of pocket medical services, etc., must be identified and explained.

9. Other:

a) All direct costs not clearly covered in categories listed above (i.e., consulting costs, local transportation, office and facility rental, van usage, fringe benefits included as a part of the IDC rate, etc.) must be identified and explained.

-22-

SCANNED

- b) Requests for any item which requires prior approval by the CRS Grants Officer must be identified and explained.
- c) Costs for space rental should be identified by square feet. Also identify utilities and break out costs per month.

10. Indirect Costs

Identify and explain indirect cost items.

XV. SUPPLEMENTAL INFORMATION - OFFICE AND RESIDENTIAL FACILITIES:

The following information is intended to provide general guidelines and information regarding office spaces and residential facilities.

1. Office Space:

Depending on the program, appropriate office space may be:

- a. Rented at the residential site (as a separate cost item);
- b. Rented from the primary applicant of which the program is a part;
- c. Provided free of cost, or;
- d. Included in the rental of the residential facility.

In all cases except foster care services, it is essential that office space be co-located with a residential facility in order to facilitate oversight, control and staff coverage.

2. Residential Facilities:

Residential space requirements must be based upon the number of clients served and the types of services delivered on site.

- a) CRS Recipients are required to set forth in detail the following:
 - 1. A description of the physical structure and the allocation of space for residential and office use.
 - 2. A description of the location of the facility and a discussion regarding the basis for selection.
 - 3. A description of security measures which will discourage run-aways and prevent the unauthorized release of a minor from the program.

SCANNED

-23-

- b) In addition, applicants must include information supporting the following requirements:
1. All residential facilities and office space must conform to applicable zoning and special use permit requirements.
 2. All facilities must conform to applicable building, fire, health and safety codes and/or ordinances.
 3. All facilities must meet applicable state child welfare licensing requirements.
 4. All programs must have established fire and, as applicable, earthquake, evacuation procedures. All clients and staff must be familiar with these procedures.
 5. All residential space (including foster homes) and office space must be equipped with smoke detectors and fire extinguishers.

Renovation of Facility:

In cases when renovation is required to bring a facility into compliance with existing codes and regulations, the extent and reasonableness of renovation costs depend upon the extent of repairs required, property value, etc. Repair work and renovation requires documented estimates of cost and time and a description of the repair. Programs must conform to the procurement standards set forth in Office of Management and Budget (OMB) Circular A-122.

All repairs and renovations require the prior approval of the CRS.

Maintenance of Facility:

Programs should include a monthly budgeted amount for maintenance and general repairs to the facility. This may include funds for commercial refuse disposal contracts. The lease or rental agreement should clearly define the extent of leasee and lessor responsibilities as they pertain to maintenance and repairs.

Leases:

Programs must be flexible in lease arrangements in order to accommodate an uncertain client flow from Federal detention. Leases should include options for renewal beyond the anticipated end date of the lease agreement.

All leases are subject to the prior approval of CRS Program and Grants Management staff.

156.

SCANNED

Insurance:

All program facilities must have adequate levels of fire, theft and liability insurance.

Utilities:

Programs should budget for this expense on a monthly basis if not included in the monthly rent. If office space is shared with another program or agency, utilities are to be pro-rated according to the percent of usage as it relates to square feet. Utilities include heat, water, electricity and natural gas.

XVI. SUPPLEMENTAL INFORMATION - EQUIPMENT, FURNISHINGS AND SUPPLIES:

The following information is intended to be illustrative of equipment, furnishings and supplies which are considered to be reasonable and necessary in the operation of a shelter care program.

CRS Recipients are required to obtain the following through the most cost-effective means available.

1. Equipment:

The following is seen as reasonable for the furnishing of office space.

Office Furnishings:

- a. Desks
- b. Chairs
- c. Tables
- d. File Cabinets
- e. Typewriters or Word Processing System
- f. Copy Machine
- g. Book Cases/Shelves
- h. Lamps
- i. Tapes and Cassette Player
- j. Telephones
- k. Paging System

The determination should be made whether it is more cost effective to lease or buy a particular piece of equipment or obtain it through the General Services Administration. In addition, items that can be used free of charge by a program should be identified.

2. Residential Furnishings:

The program should provide the following furnishing for their residential operation.

157.

-25-

SCANNED

- a. Tables
- b. Chairs
- c. Desks (study space)
- d. Books and Shelves
- e. Bulletin Board
- f. Television Set
- g. Stereo or Radio
- h. Couch
- i. File Cabinet
- j. Maintenance tools
- k. Appliances/Kitchen Implements
- l. Recreational Equipment

3. Administrative and Facility Supplies:

Included are:

- a. General Office Supplies such as pens, pencils, paper etc.
- b. Household and Maintenance Supplies
- c. Copier Supplies
- d. Educational Material and Supplies
- e. Vehicle Maintenance Supplies
- f. Postage Stamps
- g. Forms

158.

CERTIFICATE OF SERVICE BY MAIL

SCANNED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I, ELEANOR MCKENZIE, declare:

That I am a citizen of the United States and resident or employed in Los Angeles County, California; that my business address is Office of the United States Attorney, United States Courthouse, 312 North Spring Street, Los Angeles, California 90012; that I am over the age of eighteen years, and am not a party to the above-entitled action;

That I am employed by the United States Attorney for the Central District of California who is a member of the Bar of the United States District Court for the Central District of California, at whose direction the service by mail described in this Certificate was made; that on NOVEMBER 27, 1987, I deposited in the United States mails in the United States Courthouse at 312 North Spring Street, Los Angeles, California, in the above-entitled action, in an envelope bearing the requisite postage, a copy of

MEMORANDUM OF UNDERSTANDING RE COMPROMISE OF CLASS ACTION: CONDITIONS OF DETENTION

addressed to WILLIAM E. HARRIS
A Professional Corporation
11150 W. Olympic Blvd.
Suite 800
Los Angeles, CA 90064-1892

at his last known address, at which place there is a delivery service by United States mail.

This Certificate is executed on NOVEMBER 27, 1987 at Los Angeles, California.

I certify under penalty of perjury that the foregoing is true and correct.

Eleanor McKenzie